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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9                   DARRICK L. HUNTER,

10                  Plaintiff,

11                  v.

12                  TAMMY BOYLAN, et al.,

13                  Defendants.

14                   Case No. 2:24-cv-5267-RSM-DWC

15                   ORDER ADOPTING REPORT AND  
16                   RECOMMENDATION

17                  The Court, having reviewed the Report and Recommendation of Magistrate Judge  
18                  David W. Christel, objections to the Report and Recommendation, if any, and the remaining  
19                  record, does hereby find and ORDER:

20                  (1) The Court ADOPTS the Report and Recommendation, Dkt. #22.

21                  (2) Defendants Tammy Boylan and Dominique Miller's Motion to Dismiss, Dkt. #17, is  
22                          GRANTED.

23                  (3) Plaintiff is granted leave to amend so that he may attempt to cure his pleading  
24                  deficiencies. Leave to amend is limited to Plaintiff's First Amendment retaliation  
claims against Defendants Boylan and Miller. If Plaintiff wishes to proceed in this  
action, he must file a second amended complaint **no later than 30 days from the  
date of this Order**. Failure to file a second amended complaint by the stated

1 deadline will result in dismissal of this action for failure to comply with a court  
2 order and for failure to state a claim.

3 (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for the  
4 Defendants, and to the Hon. David W. Christel.

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6 DATED this 22<sup>nd</sup> day of November, 2024.

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10 RICARDO S. MARTINEZ  
11 UNITED STATES DISTRICT JUDGE  
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